

IN THE IOWA DISTRICT COURT FOR DALLAS COUNTY

THE STATE OF IOWA

vs.

NO.

FE030486

DEFENDANT: LANCE SUMMERS

ADDRESS: 122 Crestview  
Burlington, IA

COMPLAINT AND AFFIDAVIT

S.S.#: [REDACTED]

D.O.B.: 09/29/70

The Defendant is accused of the crime of Felonious Misconduct in Office, a Class "D" Felony, in violation of Section 721.1 of the Iowa Code in that the Defendant between the 13<sup>th</sup> day of January 2005 and the 20<sup>th</sup> day of January, 2006 at Adel, in Dallas County, Iowa, did knowingly make or give a false entry, false return, false certificate, or false receipt where such entry, return, certificate, or receipt is authorized by law.

Complainant:

Wayne H. Reuther

Address: Office of the Dallas County Attorney

207 N 9<sup>th</sup> Street

Adel, IA 50003

STATE OF IOWA, COUNTY OF DALLAS, ss:

I, the undersigned, being duly sworn, state that the following facts known by me, or told to me by other reliable persons, form the basis for my belief that the Defendant committed this crime.

Upon investigation by Terry Cowman, Special Agent, Iowa Division of Criminal Investigation, the defendant did, in the course of his employment as a probation officer for the State of Iowa within the 5<sup>th</sup> Judicial District of Iowa, while conducting business from the probation office at Adel, Dallas County, Iowa, receive money from one Roger Fogarty, a person who was court ordered to the supervision of the 5<sup>th</sup> Judicial District Department of Correctional Services, and therewith assigned to the defendant's case supervision, in payment for financial obligations of said Roger Fogarty to the court in payment for fines, restitutions, and costs, and upon receipt of said funds for such payment, the defendant did give to said

Roger Fogarty receipts ostensibly showing that said funds had been received by the State of Iowa, and thereby were applied against the funds said Roger Fogarty owed; but the defendant did not properly depositing said funds to the purpose for which they were paid, and the purpose for which the defendant did give such receipt, making such receipt a false receipt, or entry. And further that the defendant, in the course of his duties as probation officer should have made entry in the records of the probationer that such funds were paid, did not so annotate the record where provided, making such whole record of the probationer as kept by the defendant a false record.

FILED  
DALLAS COUNTY, IA  
2007 FEB 22 PM 4:10  
CLERK OF DISTRICT COURT

Wayne M. Bennett  
Signature

Subscribed and sworn to before me by the person signing this complaint and affidavit this 22nd  
day of Feb, 2007.

Virginia Cobb  
Notary Public JUDGE

☒ Complaint and affidavit filed this 22nd day of Feb, 2007, and probable cause found that the Defendant committed the offense charged.

☒ Warrant issued. Bail is set at \$ 15,000.00

☐ Citation issued.

Virginia Cobb  
MAGISTRATE JUDGE